

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SARAY DOKUM VE MADENI AKSAM SANAYI
TURIZM A.S.,

Plaintiff,

-v-

MTS LOGISTICS INC.,

Defendant.

17 Civ. 7495 (JPC) (GWG)

ORDER

JOHN P. CRONAN, United States District Judge:

A bench trial is scheduled to begin in this case on February 7, 2022, and the final pretrial conference is scheduled for February 1, 2022 at 11:00 a.m. If the parties do not expect the trial to go forward, they should notify the Court by January 28, 2022.

Both the final pretrial conference and the trial itself, with the exception of any video testimony, will take place in person in Courtroom 12D of the Daniel P. Moynihan United States Courthouse, 500 Pearl Street, New York, NY 10007. At the final pretrial conference, the parties may test any audio or video equipment they wish to use to present evidence at trial.

Plaintiff previously requested to have at least one of its witnesses testify by video at trial. Defendant shall advise the Court by January 28, 2022 whether it consents to have Plaintiff's witness(es) testify by video at trial. If either party seeks to have any other witnesses testify remotely at trial, they must so notify the Court by January 28, 2022, and must identify the witness and note whether the adverse party consents to such remote testimony.

At trial, the Court will take direct testimony by affidavit and cross-examination live. By the time of the final pretrial conference on February 1, 2022, the parties must submit:

- (1) Two (2) sets of tabbed binders containing the parties' trial exhibits, as provided by the

- parties in the Joint Proposed Pretrial Order, Dkt. 156, pre-marked with exhibit numbers, and accompanied by a document listing all exhibits sought to be admitted (the list shall be separated into four columns labeled: (1) Exhibit Number; (2) Description (of the exhibit); (3) Date Identified; and (4) Date Admitted);
- (2) Affidavits (the originals of which shall be marked as exhibits at trial) constituting the direct testimony of each trial witness, except for testimony of an adverse party, a person whose attendance must be compelled by subpoena, or a person for whom a party has requested and from whom the Court has agreed to hear live direct testimony during trial; and
 - (3) All deposition excerpts that will be offered as substantive evidence, as well as a one-page synopsis of those excerpts for each deposition (with citations to the pertinent pages of the deposition transcript).

If counsel for the parties requires an order permitting them to bring electronic devices to the courthouse for the final pretrial conference or the trial, they should submit the electronic devices form available on the Court's website.

SO ORDERED.

Dated: January 24, 2022
New York, New York



JOHN P. CRONAN
United States District Judge